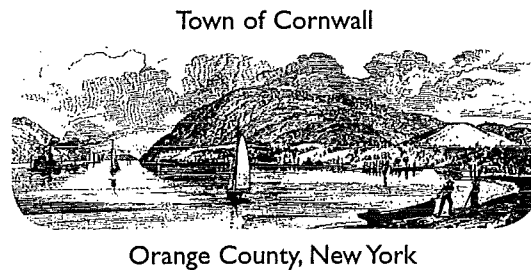


Town Hall
183 Main Street
Cornwall, NY 12518
(845) 534-3760
fax: (845) 534-4342



Office of the Supervisor
Kevin Quigley
Town Supervisor

AGENDA
Cornwall Town Board
Regular Meeting – Monday, March 11, 2013
7:30 pm

Pledge of Allegiance

Approval of Minutes – February 11, 2013 Regular Meeting; February 28, 2013 Special Meeting (Insurance); March 5, 2013 Work session

Public Comment Agenda Items

1. Resolution – Judge Joseph L. Thomson Courtroom
2. Resolution – Office of the Aging – Senior Dining Program
3. Resolution – Orange County Historic Grants Program
4. Resolution – Stop DWI Intermunicipal Agreement
5. Resolution – Village of Kiryas Joel
6. Resolution – Omnipoint Communications
7. Resolution – Towing License
8. Resolution – Vehicle Use Policy
9. Resolution – Farmers Market
10. Resolution – Zoning Maps
11. Highland Engine Co. – Easter Egg Hunt
12. Use of COVAC Building for Town Recreation Programs
13. 2013 Summer Camp and Pool Fees
14. Storm King School – Baseball Field Village
15. Munger Cottage Lighting
16. Little League Cabin Repairs
17. American Legion
18. Local Law No. 1 of 2013
19. Liquor License – Brothers Barbeque, Inc.
20. Personnel: Planning Board Appointment
Conservation Advisory Council Appointment
Training: Notary Public Work Shop
Town Clerk Conference

Committee Reports
Warrant #3
Public Comment
Adjournment

WHEREAS, the late Joseph L. Thomson was a resident of the Town of Cornwall who served the citizens of the Town as a Town Justice for 48 years, and

WHEREAS, Judge Thomson's service as the longest sitting Town Justice was distinguished, and he was noted for treating all parties in his court with respect and fairness, and

WHEREAS, it would be appropriate for the Town to recognize Judge Thomson's contributions to our community by naming the Town's court facilities in his honor: JUDGE JOSEPH L. THOMSON COURTROOM,

NOW, THEREFORE, BE IT RESOLVED as follows:

That on behalf of all the citizens of the Town of Cornwall the Town Board hereby names the Town's court facilities the JUDGE JOSEPH L. THOMSON COURTROOM and authorizes the Supervisor to obtain a plaque indicating the new name.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Randolph S. Clark, Councilman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/267159
254-65400
3/8/13

WHEREAS, the County of Orange on behalf of the Orange County Office for the Aging has presented the 2013 contract for the Senior Dining Program for the Elderly between the County and the Town, and

WHEREAS, it is in the best interests of the Town to enter into the Agreement with the County,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board hereby agrees to enter into the annexed agreement between the County of Orange and the Town for the 2013 Senior Dining Program for the Elderly.
2. The Town Board hereby authorizes the Supervisor to execute the agreement and forward the same to the County of Orange.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/276683
254-65400
3/8/13

WHEREAS, the Town has determined to submit an application under the Orange County Historic Grants Program in order to fund and preserve the historic structures and sites in the Town, and

WHEREAS, the deadline for submittal of the application is March 15, 2013,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby authorize the submittal of an application to the Orange County Historic Grants Program, and

2. That the Supervisor is hereby authorized to sign the Application on behalf of the Town.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/276858
254-65400
3/11/13

WHEREAS, the County of Orange on behalf of its Department of Emergency Services has presented the 2013 Stop DWI Intermunicipal Agreement between the County and the Town, and

WHEREAS, the Town Board has considered the agreement and is prepared to authorize its execution by the Supervisor,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board hereby agrees to enter into the 2013 Stop DWI Intermunicipal Agreement between the County of Orange and the Town, and

2. The Town Board hereby authorizes the Supervisor to execute the agreement and forward the same to the County of Orange.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/276657
254-65400
3/8/13

WHEREAS, the Town Board of the Town of Cornwall ("Town") has received a request from the Village Board of the Village of Kiryas Joel ("Village") to grant tax exemption from Town taxes to certain properties owned by the Village in the Town outside of the incorporated Village, and

WHEREAS, the Town has considered the request from the Village,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town does hereby adopt this resolution denying the request of the Village to exempt certain properties in the Town outside of the Village, which said properties are used by the Village for water supply purposes.

_____ presented the foregoing resolution which was seconded by _____.

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Randolph S. Clark, Councilman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/276693
254-65400
3/8/13

GERALD N. JACOBOWITZ
DAVID B. GUBITS
JOHN H. THOMAS JR.
GERALD A. LENNON
PETER R. ERIKSEN
HOWARD PROTTER
DONALD G. NICHOL
LARRY WOLINSKY
ROBERT E. DINARDO
J. BENJAMIN GAILEY
MARK A. KROHN*
JOHN C. CAPPELLO
GEORGE W. LITHCO
MICHELE L. BABCOCK
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JACOBOWITZ AND GUBITS, LLP

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MARCIA A. JACOBOWITZ
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ANDREA L. DUMAIS
CARMEE G. MURPHY**
**OF COUNSEL

February 28, 2013

Town of Cornwall
183 Main Street
Cornwall, New York 12518

Attn: Hon. Renata McGee, Town Clerk

RE: Village of Kiryas Joel - Municipal Water Tanks
Town of Cornwall Tax Map Nos.: 29-1-24.21 & 36-1-56
Our File No.: 652-31D

Dear Ms. McGee:

In regard to the above matter, please find enclosed the following for filing with your office:

- a. Resolution - Village of Kiryas Joel - Request for Real Property Tax Exemption of the Village Owned Water Supply Property passed by the Village of Kiryas Joel.
- b. Applications for Tax Exemption Pursuant to Real Property Tax Law Article 4, Section 406 fully executed by the Village of Kiryas Joel.

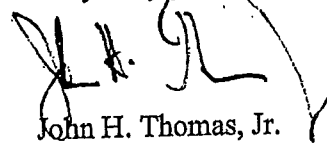
Further enclosed is the:

Resolution - Real Property Tax Exemption being submitted to the Town for approval.

Please advise.

Thank you for your courtesy and cooperation herein.

Very truly yours,


John H. Thomas, Jr.

JHT:sl
encls.

cc: Hon. Gedalye Szegedin, Village Clerk, Village of Kiryas Joel

APPLICATION FOR TAX EXEMPTION
PURSUANT TO REAL PROPERTY TAX LAW
ARTICLE 4, SECTION 406

TO: THE HONORABLE TOWN BOARD, TOWN OF CORNWALL,
STATE OF NEW YORK

Application is hereby made for removal of the following described real estate in the Town of Cornwall, Orange County, New York from the taxable portion of the real property tax rolls of said Town of Cornwall:

Tax Roll Information:	SECTION	BLOCK	LOT
Town of Cornwall	29	1	24.21
School District:	Cornwall Central School District		
Date Property Acquired:	April 10, 2005		
Owner:	Village of Kiryas Joel		
Nature and use of Property:	Water Tanks - Wells		
Dated: January 4, 2013			

VILLAGE OF KIRYAS JOEL

By: _____

STATE OF NEW YORK:
:SS.:
COUNTY OF ORANGE:

On the 4th day of January, 2013, before me personally came Gedalye Pzestelin, to me known, who being by me duly affirmed, did affirm and say that he resides in the Village of Kiryas Joel, New York; that he is the Administrator of the Village of The Kiryas Joel, the municipal corporation described in and which executed the foregoing instrument; and that he signed his name thereto by like order.

NOTARY PUBLIC - STATE OF NEW YORK

MOISHE GRUBER
Notary Public, State of New York
No. 01GR4840440
Qualified in Kings County
Commission Expires Sept. 30, 2013

TOWN OF CORNWALL
County of Orange, State of New York

RESOLUTION
REAL PROPERTY TAX EXEMPTION

Introduced by: _____

Seconded by: _____

Date of Adoption: _____, 2013

BE IT RESOLVED,

That the Town Board of the Town of Cornwall hereby grants the requested real property tax exemption, pursuant to Real Property Tax Law Article 4, Section 406, to the Village of Kiryas Joel for the tax map parcel designated as the Town of Cornwall tax map nos. 29-1-24.21 and 36-1-56 since same is part of the municipal water supply system of the Village of Kiryas Joel and is owned and operated by the Village of Kiryas Joel for such purposes.

Upon Roll Call Vote:

Supervisor D. Kevin Quigley _____
Councilperson Alexander Mazzocca _____
Councilperson Randolph Clark _____

Councilperson Mary Beth Greene _____
Councilperson Elizabeth J. Longinott _____

Vote: Resolution carried by a vote of _____ to _____.

STATE OF NEW YORK)

..SS.

COUNTY OF ORANGE)

I, Renata McGee, Town Clerk of the Town of Cornwall, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Town Board of the Town of Cornwall at a meeting of said Board held on _____ day of _____, 2013.

Renata McGee

WHEREAS, heretofore Omnipoint Communications, Inc. leased a small portion of land from the Town of Cornwall adjacent to the existing cell tower facility in order to co-locate, and

WHEREAS, T-Mobile Northeast LLC, successor to Omnipoint Communications, Inc., ("T-Mobile") wishes to upgrade its facilities by performing the construction listed on the Scope of Work exhibit annexed hereto and made a part of this resolution,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town does hereby approve the proposed upgrade to the said facilities, and authorizes the Building Inspector to issue a building permit upon submission of an appropriate application, and

2. That the Town Supervisor is hereby authorized to sign the annexed acknowledgment and consent.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____



T-Mobile USA, Inc.
12920 S.E. 38th Street
Bellevue, WA 98006
Attn.: Lease Compliance
Site No. NY10495C

March 5, 2013

VIA CERTIFIED MAIL

Town of Cornwall
183 Main Street
Cornwall, NY 12518

Re: Land Lease Agreement, dated September 29, 2006, (the "Lease"), by and between Town of Cornwall ("Lessor") and T-Mobile Northeast LLC, as successor in interest to Omnipoint Communications, Inc. ("T-Mobile")

Site Number: NY10495C

Site Address: 183 Main Street, Cornwall, New York, 12518 (the "Site")

Dear Sir or Madam:

T-Mobile is in the process of updating the telecommunications utilities to its wireless equipment located at the above-referenced Site. The purpose of this letter is to obtain Lessor's approval to perform the utility updates at the Site, as specifically set forth in the scope of work annexed as Exhibit A (the "Scope of Work").

Please signify your approval by signing and dating two (2) original copies of this Acknowledgment and Consent Letter on the signature line provided below. Kindly return one (1) original copy of the Acknowledgment and Consent Letter to: T-Mobile Northeast LLC, attn: Dana Cleford, 4 Sylvan Way, Parsippany, NJ 07054. You may also send the signed Acknowledgment and Consent Letter via fax to the attention of Dana Cleford at 973-292-8865 or via e-mail to Dana.Cleford@T-Mobile.com.

Should you have any questions, please contact Dana Cleford at 203-520-4557. Thank you in advance for your cooperation in this matter.

Sincerely,

Jeannette Ladejobi
Leasing Manager
T-Mobile - [New Jersey/New York / Long Island]

WHEREAS, the Town has received an application for a towing license from "Priority Recovery" pursuant to Chapter 137 of the Code of the Town of Cornwall, and

WHEREAS, Police Chief Todd M. Hazard has reported that the said application meets all of the Town's requirements, and he has recommended adding Priority Recovery to the Town's towing list,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby approve the issuance of a towing license to Priority Recovery and authorizes its addition to the Town's towing list.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/276620
254-65400
3/7/13

WHEREAS, Town employees in certain positions may be required or authorized to drive Town vehicles to conduct business on behalf of the Town of Cornwall, and

WHEREAS, the Town has before it a written policy covering setting forth certain standards and procedures to be followed,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby adopt the annexed Vehicle Use Policy, and

2. That the Town Clerk is hereby directed to provide copies of the Vehicle Use Policy to all Town employees who are affected by this policy.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/276697
254-65400.02
3/8/13

VEHICLE USE POLICY
Town of Cornwall Employee Vehicle Use Policy
Town of Cornwall, Orange County, New York

Town of Cornwall Employee Vehicle Use Policy

- A. Policy Statement** -- All vehicles and related equipment of the Town of Cornwall are owned and maintained for the purpose of conducting official business of the Town. Employees in certain positions may be required or authorized to drive Town vehicles to conduct business on behalf of the Town of Cornwall. Employees who drive on Town business must operate vehicles in a safe and responsible manner, and in compliance with all applicable motor vehicle and traffic regulations.
- B. Use of Personal Vehicle for Town Business** -- It is the policy of the Town that employees will use a Town vehicle for all Town business. However, In the event the Town Board authorizes use by an employee of the employee's personal vehicle, the employee who drives a personal vehicle to conduct Town business must have auto liability insurance (for both bodily injury and property damage) and proof of a minimum policy for liability coverage of \$100,000 per person/\$300,000 per accident. Proof of such insurance is required upon authorization to use a personal vehicle for Town Business and shall be required on an annual basis thereafter. If an employee's liability insurance lapses, the employee's Department Head must be notified immediately
- C. Traffic Violation** -- An employee is responsible for paying the cost of any traffic or parking tickets, moving violations, or fines that result from driving on Town business. In addition, the employee shall bring any such violation(s) to the attention of their Department Head through a written report.
- D. Standards** -- For the purpose of compliance with this policy, the following standards must be met at all times:
- (i) Assignment of Town vehicles shall be at the sole discretion of the Town Board;
 - (ii) Town vehicles must always be operated in a safe and responsible manner and in compliance with all applicable traffic laws in effect;
 - (iii) Town vehicles may not be used to transport persons who are not officials, employees or invitees of the Town of Cornwall, nor material not related to the conduct of official Town business without direct authorization by the appropriate Department Head or the Town Board;
 - (iv) Town vehicles must always be maintained in a safe and secure condition when not in use, including being locked and/or under direct observation; and all keys maintained under controlled and authorized jurisdiction of the appropriate Department Head;

(v) Town vehicles should be marked with an emblem or other symbol designating them as Town of Cornwall vehicles. The Town Board may exempt some vehicles from this requirement;

(vi) No advertisements, signs, bumper stickers or other markings of a political or commercial nature may be displayed on Town vehicles at any time, except those of a limited community service nature which have been authorized by the Town Board;

(vii) Department Heads must notify the Town Supervisor when an employee begins driving Town vehicles and forward a copy of the employee's driver's license to be kept on file;

(viii) All vehicle maintenance for Town vehicles is the responsibility of the Town.

(ix) In the event a town vehicle must travel outside the limits of the Town of Cornwall, the vehicle use must pertain to town business purposes only.

E. Monitoring Weekend Vehicle Usage – Calendars will be provided to employees who have been assigned Town vehicles to keep track of daily vehicle usage. Mileage shall be recorded on the mileage log sheet by the odometer reading at the end of the workday on Friday, and at the start of the workday on Monday. If there were miles used during the weekend, the purpose of the vehicle usage needs to be stated and accounted for on the calendar. Employees shall submit their completed calendars to the Supervisor's office with the last payroll of each month.

F. Revocation of Vehicle Use Privilege – Any of the following incidents/uses of a Town vehicle may result in the revocation of authorization to use a Town vehicle and or other disciplinary action as deemed appropriate and necessary by the Town Board:

- The use of Town vehicles for personal purposes, use by unauthorized individuals, or operation of a Town vehicle in an unsafe manner;
- Allowing operation of a Town vehicle by a person other than an authorized Town employee;
- Providing transportation to a passenger other than an Town officials, employees or invitees on official Town business.
- Use of alcohol or tobacco while operating a Town vehicle;
- Use, possession or sale of illegal drugs while operating a Town vehicle;
- Use of a hand-held mobile telephone or other electronic devices while driving, except when contacting emergency or medical personnel regarding an emergency situation.

G. Driver's License – An employee who is required to drive either a Town-owned vehicle or the employee's own personal vehicle to conduct business on behalf of the Town, must possess at the time of appointment, and must maintain throughout employment, a valid New York State drivers license. Proof of such license must be on file with the Town and must meet the following standards:

- (i) The driving records of applicants and employees who apply for positions that involve driving as a part of job duties are checked following a conditional offer of employment. Thereafter, the Town conducts motor vehicle record checks on a regular basis in accordance with the requirements of the Fair Credit Reporting Act (FCRA);
- (ii) **Commercial Drivers** - An employee who operates a vehicle which requires a Commercial Drivers License (CDL), must maintain such license throughout employment. In accordance with the federal Commercial Motor Vehicle Safety Act of 1986, a commercial driver must notify the Town within thirty days of a conviction of any traffic violation (except parking), no matter where or what type of vehicle the employee was driving.

H. Loss of Driver's License -- An employee who is required to possess a driver's license or CDL license in order to perform certain job duties and responsibilities must immediately notify the appropriate Department Head in the event the license is suspended or revoked. The loss or suspension of the driver's license or CDL license may affect the employee's employment with the Town.

I. Suspension of Driving Privileges -- An employee's driving privileges may be suspended for receiving an excessive number of traffic citations, regardless of whether the citations were received while driving on Town business. If an employee's driving privilege is suspended and the employee's position requires regular use of a vehicle, the employee may be reassigned to another comparable position, if available, or terminated for inability to perform the duties of the job.

9

WHEREAS, the Town owns and maintain a park at Town Hall known as the Town Hall Park, and

WHEREAS, the Cornwall Community Cooperative (the "Co-op") has requested that the Town permit it to operate a Farmers' Market on the Town Hall Park grounds, and

WHEREAS, the Town Board has determined that it is in the public interest to allow the Co-op to operate a Farmers' Market in the Town, and the Town Board is willing to enter into a Revocable License Agreement with the Co-op for such purpose,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby approve the Farmers' Market Agreement, a copy of which is attached hereto, and does authorize the Town Supervisor to execute the same, and

2. That the Town Board does hereby approve the terms of operation set forth in the "Proposal by Cornwall Community Co-Op" and the marketing and advertising plan, both as amended, copies of which are also annexed hereto.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/
254-63300.05
6/11/10

WHEREAS, heretofore the Town adopted local laws amending the Zoning Code and the Zoning Map of the Town to encompass the formation of new zoning districts, and

WHEREAS, it is necessary to produce updated Zoning Maps to include these amendments,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board hereby authorizes the Town's Planning Consultant to work with the Orange County Department of Planning to prepare the appropriate maps to include the new districts, and

2. The Town Board hereby directs the Town Clerk to have the finalized maps printed for inclusion and distribution with the Code books.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/276750
254-65400
3/8/13